

OCT 6 2000

PATENT
Attorney Docket No.: DIVER1370-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jay M. Short et al.

Application No.: 09/580,515

Filed: May 25, 2000

For: RECOMBINANT BACTERIAL
PHYTASES AND USES THEREOF

) Group Art Unit: 1651

)

) Examiner: Unassigned

)

) CERTIFICATION UNDER 37 CFR § 1.8

)

) I hereby certify that the documents referred to as enclosed herein
) are being deposited with the United States Postal Service as first
) class mail on this date **October 2, 2000**, in an envelope
) addressed to: Commissioner for Patents, BOX ASSIGNMENT,
) Washington, D.C. 20231

) Margaret J. Pierce

) (Name of person mailing paper)


Signature

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL SHEET

Sir:

In response to the Notice to File Missing Parts of Application mailed August 2, 2000,
enclosed are:

1. A copy of the Notice to File Missing Parts of Application;
2. An executed Declaration For Patent Application;
3. Power of Attorney by Assignee;
4. A Verified Statement (Declaration) Claiming Small Entity Status;
5. Check in the amount of \$746.00; and
6. Return postcard

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Attorney Docket No.: DIVER1370-4

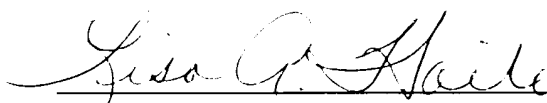
The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	40 - 20	=	20	X	\$09	\$18	=	\$180.00	\$.00
Independent Claims	7 - 3	=	4	X	\$39	\$78	=	\$156.00	\$.00
Multiple Dependent Claims Presented: ___ Yes ___X___ No					\$130	\$260		00.00	0
					BASIC FEE			\$345.00	\$690.00
					TOTAL FEE			\$681.00	\$.00

Enclosed is a check in the amount of \$746.00 (\$681.00 filing fee and \$65.00 surcharge fee for missing parts of the application). Please charge any other fees due or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this Transmittal Letter is attached.

Respectfully submitted,

Date: October 2, 2000



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OCT 2 2 2000

file: c:\APPS\preexam\correspondence\3.htm

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FORMALITIES LETTER



OC000000005290308



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/580.515	05/25/2000	Jay M. Short	DIVER1370-4

Lisa A Haile PhD
Gray Cary Ware & Freidenrich LLP
4365 Executive Drive
Suite 1600
San Diego, CA 92121-2189

Date Mailed: 08/02/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$672.
 - \$360 for 20 total claims over 20.
 - \$312 for 4 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1492.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE